

**Amendment and Response**

Applicant: Mark W. Minne

Serial No.: 10/051,571

Filed: Jan. 17, 2002

Docket No.: 10003994-1

Title: MEMORY CARD ACCESS INDICATOR SYSTEM

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**REMARKS**

This Amendment is responsive to the Office Action mailed November 21, 2003. Claims 1-22 were rejected. With this response, independent claims 1, 13, 17, 18, 21 and 22 have been amended, claims 23 and 24 has been added, and dependent claims 9-12 have been cancelled. Claims 1-8 and 13-24 remain pending in the application and are presented for reconsideration and allowance.

**Claim Rejections under 35 U.S.C. § 102**

Claims 1-6, 9-10, 11-17, 21-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Wallace et al, U.S. Patent No. 6,295,031 (Wallace et al).

Amended independent claim 1 recites a form factor card compatible for use with a host electronic device. The form factor card includes an adapter region for interfacing the form factor card with the host device and an on-card electronic device for performing a task for the host electronic device, wherein the on-card electronic device includes a data storage device and transfers data between the data storage device and the host device. The form factor card further includes an on-card intelligent controller and an indicator in communication with the on-card intelligent controller to communicate an operational status of the data storage device of the form factor card, including available storage capacity of the data storage device.

Applicant submits that Wallace does not anticipate the present invention as recited by amended independent claim 1. Wallace discloses a radio card assembly 5 including a PCMCIA (Personal Computer Memory Card International Association) standard memory card configured as a radio circuit board 10 for processing radio frequency signals. Radio card assembly 5 further includes an antenna assembly 16 attached to both the end of the radio card assembly 5 and to the end of the radio circuit board 10. Radio card assembly 5 enables a host device to wirelessly transmit and receive radio frequency signals via the memory card radio circuit board 10 and antenna assembly 16. Antenna assembly 16 includes indicating lights 30 to provide indication of the operation of when the radio circuit board 10 is communicating with a base station, including indicating when the radio card is transmitting to the base station.

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Applicant submits that Wallace fails to teach the invention recited by amended independent claim 1. Wallace fails to teach **a form factor card including an on-card electronic device, wherein the on-card electronic device includes a data storage device and transfers data between the data storage and a host device.** In contrast, Wallace discloses a radio card transmitting radio signals for a host device via an antenna, and indicating lights providing indication of when radio circuit board 10 is communicating with a remote base station. Wallace further fails to teach **an indicator to communicate an operational status of the data storage device of the form factor card, including available storage capacity of the data storage device.** Again, the radio card indicating lights provide indication when the radio card is transmitting to a remote base station. See Wallace, col. 12, lines 1-19.

In view of the above, Applicant submits that Wallace does not teach the present invention as recited by independent claim 1. Applicant requests that the rejection of independent claim 1 under 35 U.S.C. § 102 be withdrawn.

Dependent claims 2-6 depend directly or indirectly upon amended independent claim. Accordingly, dependent claims 2-6 are also allowable over the art of record.

Independent claim 13 recites a memory card compatible for use with a host electronic device. The memory card includes an adapter region for mechanically and electrically interfacing with the host electronic device and a data storage device having a plurality of memory units and configured to transfer data between the memory units and the host device. The memory card further includes an on-card intelligent controller and an indicating light viewable by a host electronic device user wherein the on-card intelligent controller controls the indicating light on or off status to thereby communicate to the user an operational status of the data storage device of the memory card, including available storage capacity of the data storage device.

For the same reasons as indicated above with respect to independent claim 1, Wallace fails to disclose the claimed invention of independent claim 13. Accordingly, Applicant requests that the above rejection of independent claim 13 under 35 U.S.C. § 102 be withdrawn.

Dependent claims 14-21 depend directly upon independent claim 13. Accordingly, Applicant believes these dependent claims to also be allowable over the art of record.

Amended independent claim 22 recites a method of operating a form factor card, wherein the method includes monitoring an operational status of a data storage device of the form factor card and controlling an indicator light to communicate the operational status of the data storage device of the form factor card to a user, including available storage capacity of the data storage device.

For the same reasons as indicated above with respect to independent claim 1, Wallace fails to disclose the claimed invention of independent claim 22. Accordingly, Applicant requests that the above rejection of independent claim 22 under 35 U.S.C. § 102 be withdrawn.

#### **Claim Rejections under 35 U.S.C. § 103**

Claims 4, 7-8, 10-12 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wallace.

Claims 4, and 7-8 depend directly or indirectly from amended independent claim 1, and claim 21 depends directly from amended independent claim 13. For the reasons stated above, Applicant believes amended independent claim 1 and amended independent claim 13 to be allowable. Accordingly, Applicants believe these dependent claims to also be allowable. Claims 10-12 have been cancelled. Applicant requests that the above rejections of dependent claims 4, 7-8, 10-12 and 21 under 35 U.S.C. 103(a) be withdrawn.

#### **Added Claim**

Added independent claim 23 and 24 recites a memory card for use with a host electronic device. Applicant believes claims 23 and 24 to be allowable over the art of record.

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**CONCLUSION**

In view of the above, Applicant believes independent claims 1, 13, 22, and 23 and the claims depending therefrom are in condition for allowance. Allowance of these claims is respectfully requested.

Any inquiry regarding this Amendment and Response should be directed to either Philip S. Lyren at Telephone No. (281) 514-8236, Facsimile No. (281) 514-8332 or Steven E. Dicke at Telephone No. (612) 573-2002, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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**CERTIFICATE UNDER 37 C.F.R. 1.8:** The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 6 day of February, 2004.

By Steven E. Dicke  
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